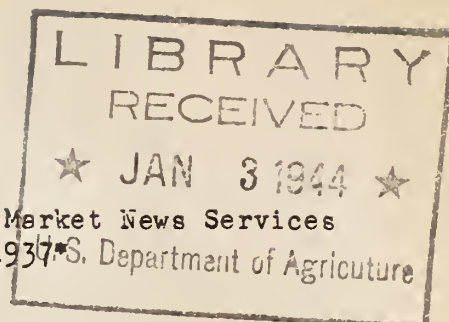


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UNITED STATES DEPARTMENT OF AGRICULTURE
Agricultural Marketing Service

Regulations of the Secretary of Agriculture Governing Cotton Classification and Market News Services
for Organized Groups of Producers Under the Act of April 13, 1937*

By virtue of authority vested in the Secretary of Agriculture by the provisions of the Act of April 13, 1937 (Public No. 28, 75th Congress), authorizing the Secretary of Agriculture to provide for the classification of cotton, to furnish information on market supply, demand, location, condition, and market prices for cotton, and for other purposes, I, H. A. Wallace, Secretary of Agriculture do prescribe, publish, and give public notice of the following regulations to be in force and effect on and after this date and until amended or superseded by regulations hereafter made by the Secretary of Agriculture.

REGULATION 1.--ADMINISTRATION

Section 1. The Chief of the Agricultural Marketing Service is charged with the supervision on behalf of the Secretary of Agriculture of the performance of all duties arising in the administration of the Act and these regulations.

Sec. 2. Regional offices.--Regional field offices shall be maintained at points designated by the Chief of the Service.

Sec. 3. Field classing offices.--The Chief of the Service may from time to time authorize the establishment of field cotton classing offices at other points.

REGULATION 2.--CLASSIFICATION AND MARKET NEWS SERVICES

Section 1. Classification of samples.--The Chief of the Service or his authorized representatives, upon request in writing from any group of producers organized to promote the improvement of cotton who comply with these regulations, shall as hereinafter provided, furnish to such producers without charge the classification in accordance with the official cotton standards of the United States of samples representing cotton produced by them. It appearing that funds appropriated for the administration of the Act may at times be insufficient to provide for the classification of all of the cotton grown by members of such groups, the Chief of the Service may when necessary direct that only samples representing that portion of members' cotton produced from seed of an adopted variety, or from seed replanted on land first planted during any growing season to seed of such adopted variety, shall be eligible for classification under these regulations; and in any event such classification may be limited to samples representing cotton produced by members whose cotton acreage for any growing season is first planted in whole or in part to seed of an adopted variety.

Sec. 2. Market News.--The Chief of the Service shall cause to be distributed to groups of producers organized to promote the improvement of cotton who comply with these regulations, and to others on request, for posting at gins, in post offices, or other public or conspicuous places in cotton growing communities, timely information on prices for various grades and staple lengths of cotton.

REGULATION 3.--ORGANIZED GROUPS

Section 1. Groups of producers organized to promote the improvement of cotton may be recognized as such within the meaning of the Act if they meet the following requirements:

(a) Such an organization may be an unincorporated association or it may be incorporated.

(b) The cotton fields of members of an organized group shall be located within the area generally recognized by the group as its community and any fields of members in which planting seed of the adopted variety and strain is produced shall be so located as to prevent or minimize cross pollination with other varieties or strains. The seed planted pursuant to the crop improvement program of any group shall be of such variety and seed stock of proven merit as shall have been agreed upon by the group, and the cotton produced shall be ginned in such a manner as to prevent the mixing of the seed or lint of an adopted variety with the seed or lint of other varieties or strains. Provision shall be made by the group for the procurement, production and economical distribution of approved planting seed of the adopted variety and strain for use by members of the group.

(c) Each organized group shall assume responsibility for obtaining, identifying, and shipping samples to be classified and for posting market information furnished to it in accordance with these regulations; shall see that samples are drawn, handled, and shipped in accordance with instructions furnished from time to time by representatives of the Service; and shall designate a responsible representative and an alternate representative to act for members of the group in matters pertaining to compliance with these regulations. Such representative or alternate representative need not be a producer or a member of the group.

REGULATION 4.--SAMPLING AND CLASSIFICATION

Section 1. A sample of approximately six ounces in weight representative of both sides of each square bale of cotton ginned for a member of an organized group will be submitted for classification. For each round bale a representative sample of approximately three ounces will be submitted.

* As amended to March 1940.

Sec. 2. Each lot of samples submitted for classification shall be enclosed in packages or bags which shall be labeled or marked so as to show the name and address of the representative or sampling agency of the organized group. Each sample shall contain a tag bearing the identification of the bale from which it was drawn and the name and address of the producer of such bale.

Sec. 3. Costs incident to sampling, tagging, and identification of samples and transporting samples to points of shipment shall be without expense to the Government except that tags and containers for the shipment of samples may be furnished and transportation charges paid by the Service. The samples shall become the property of the Government.

Sec. 4. Samples submitted as herein provided shall be classified by representatives of the Service and a statement showing the grade and staple length of each sample according to the official cotton standards of the United States will be mailed to the producer whose name appears on the tag accompanying the sample.

Sec. 5. The representative or alternate representative of a group may be designated by the group to receive classification data for its members.

REGULATION 5.--APPLICATIONS

Section 1. Applications shall be made on forms furnished or approved by the Service.

Sec. 2. Each such application shall include (a) the date; (b) the name and location of the organized group; (c) the name, address, and acreage of each member of the group and the adopted variety of cotton to be grown by him; (d) a statement that the variety and strain adopted by the group has been agreed upon by a majority of the members; (e) a statement that the group is organized for the purpose of promoting the improvement of cotton; (f) copies of the organization papers of the group, such as articles of association and by-laws, and copies of ginners' agreements, and other documents relating to cotton improvement by members of the group; (g) the name, title, and post office address of the representative and the alternate representative designated to act for the group; (h) the estimated total number of acres of cotton of an adopted variety to be grown during the year; (i) the arrangements that have been made for posting market information; (j) the arrangements for procuring and distributing planting seed; (k) other information that may be required by the Service; (l) a statement that the group agrees to comply with the Act and these regulations; and (m) the signature of an authorized official or leader of the group. It shall be further required that a statement be furnished from the cooperating state extension service or other state agency cooperating with the Bureau of Plant Industry of the United States Department of Agriculture, and subject to approval by representatives of that Bureau, or from a committee appointed by the Chief of the Agricultural Marketing Service for the purpose, that the group is organized for promoting the improvement of cotton; that all members' fields on which seed stocks are to be produced are so located as to prevent or minimize cross pollination; that the varieties of cotton and seed stocks are approved by such cooperating state agency or committee; that arrangements have been made for ginning the cotton in a manner which will prevent or minimize damage to the fiber and prevent the mixing of the seed or lint of one variety or strain with seed or lint of other varieties or strains; and that satisfactory arrangements have been made for procuring and/or distributing planting seed.

Sec. 3. Application shall be filed with an authorized representative of the Agricultural Marketing Service or mailed to such representative within a period of time to be announced by that Service for the receipt of applications for services during the year to which such application relates. To receive consideration, any such application submitted by mail shall have been postmarked before midnight of the last day of such announced period.

Sec. 4. Applications may be rejected for non-compliance with the act or these regulations, or when funds or facilities are not available to provide the services requested.

Sec. 5. Proof of authority of any person to make application on behalf of an organized group may be required.

Sec. 6. An organized group may withdraw its application at any time.

Sec. 7. Applications shall be subject to renewal from year to year in accordance with a procedure to be prescribed by the Chief of the Service or his representatives.

Sec. 8. Any expense involved in the preparation and filing of applications and requests for renewal shall be paid by the applicants.

REGULATION 6.--LIMITATION OF SERVICES

Section 1. The Chief of the Service or his authorized representatives may suspend, terminate, or withhold cotton classing and market news services to any organized group upon its request or upon its failure to comply with the Act or these regulations, or when funds or facilities are insufficient to provide or continue such services.

In testimony whereof I have hereunto set my hand and caused the official seal of the Department of Agriculture to be affixed in the City of Washington, this 7th day of June 1938.

H. A. WALLACE,

Secretary

(SEAL)

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